

**BEFORE THE  
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA**

CASE NO.: SC14-1647

INQUIRY CONCERNING A JUDGE,  
JUDGE LINDA D. SCHOONOVER

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**MOTION TO REQUIRE DISCLOSURE OF HEARING PANEL'S  
EXPOSURE TO PUBLICITY AND OTHER EXTRANEIOUS  
INFORMATION REGARDING ALLEGATIONS OF MISCONDUCT  
BY JUDGE SCHOONOVER/  
MOTION FOR EXTENSION OF TIME TO FILE  
RESPONSE TO NOTICE OF FORMAL CHARGES**

COMES NOW GREGORY W. EISENMENGER of the law firm of EISENMENGER, BERRY BLAUE & PETERS, P.A., on behalf of Judge Linda D. Schoonover, and moves to have the members of the hearing panel disclose what information they were exposed to in terms of media publicity and other information regarding the accusations made against Judge Schoonover as well as disclosure from non-news sources, much like jurors would do during voir dire in a publicized case. Judge Schoonover would further move for an extension of time to file her response until at least 10 days after the information requested in this motion is disclosed.

As grounds therefore, Judge Schoonover would show:

1. These proceedings are, at the investigative stage, supposed to be confidential.
2. The Judge's right to that confidentiality was obviously breached, regardless of the person or persons who caused the breach.
3. As has been indicated in previous motions, Judge Schoonover was concerned about the investigative process being contaminated by extraneous information and thus is further concerned about the effect the taint of this extraneous information on her rights in this process.

4. For example, the original notice of formal charges included allegations she had not been provided an opportunity to respond to under Rule 6(b). Most of those allegations were later removed.

5. It has been, and continues to be, a concern of Judge Schoonover that the inclusion of those allegations tainted the end result (i.e. the decision to institute formal charges).

6. Likewise, it is her concern that unfair publicity as well as disclosures from other sources regarding allegations could taint the hearing panel.

7. Therefore, Judge Schoonover requests disclosure by each and every member of the hearing panel regarding what publicity they were exposed to prior to a notice of formal charges was filed as well as any information obtained since outside of the documents contained in the above styled action.

8. Such disclosure would be in keeping with the goal of insuring the integrity of the investigative process. Moreover, it would be much like the type of questions potential jurors would be required to answer in *voir dire* during a jury trial where there was pre-trial publicity.

9. It bears mentioning there have been multiple media accounts regarding this action since the notice of formal charges were filed. See, e.g., <http://www.orlandosentinel.com/news/breaking-news/os-facebook-judge-linda-schoonover-ethics-charges-20140825-story.html> and [http://mynews13.com/content/news/cfnews13/news/article.html/content/news/articles/cfn/2014/8/25/seminole\\_county\\_judg.html](http://mynews13.com/content/news/cfnews13/news/article.html/content/news/articles/cfn/2014/8/25/seminole_county_judg.html) .

**MOTION FOR EXTENSION OF TIME TO FILE  
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10. Judge Schoonover would further request a delay in filing a response to the notice of formal charges until ten days after disclosure of the information sought in this Motion.

Respectfully Submitted this 17<sup>th</sup> day of September, 2014.

/s/ *Gregory W. Eisenmenger*

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GREGORY W. EISENMENGER

I HEREBY CERTIFY that a true copy of the foregoing was served via email to Henry M. Coxe, III, [hmc@bedellfirm.com](mailto:hmc@bedellfirm.com); Oliver David Barksdale, [odb@bedellfirm.com](mailto:odb@bedellfirm.com); Ashley W. Green, [awg@bedellfirm.com](mailto:awg@bedellfirm.com); 101 East Adams Street, Jacksonville, FL 32202 and Michael L. Schneider, General Counsel, ([mschneider@floridajqc.com](mailto:mschneider@floridajqc.com)); JQC, P.O. Box 14106, Tallahassee, Florida, 32317 this 17<sup>th</sup> day of September, 2014.

EISENMENGER, BERRY BLAUE & PETERS, P.A.

/s/ *Gregory W. Eisenmenger*

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GREGORY W. EISENMENGER, ESQ.

Florida Bar No.: 237175

ROBERT R. BERRY, ESQ.

Florida Bar No.: 714216

5450 Village Drive

Viera, Florida 32955

(321) 504-0321 office

(321) 504-0320 facsimile

[gregeisenmenger@ebplaw.com](mailto:gregeisenmenger@ebplaw.com)

Attorneys for the Honorable Linda D. Schoonover